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INTELLECTUAL PROPERTY LAW
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October 12, 2010

The Honorable Barbara Crabb
United States District Court
Western District of Wisconsin
120 North Henry Street, Rm 320
Madison, WI 53701-0432

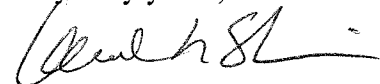
Re: Renae Ekstrand v. School District of Somerset
Case No. 08CV193

Dear Judge Crabb:

I apologize for the delay in having the conference to finalize the form of the judgment in this case. We have run into a snag regarding the appropriate statutory caps to be applied, and are attempting to resolve it. When Attorney Rusboldt and I were trying to work out damages while waiting for the jury on October 4, his client Randy Rosburg stated that he had recently checked the Dept. of Public Instruction (DPI) website, and that Somerset had 150 employees during the relevant period. Given his statement, and the fact that it was so far from the next level for purposes of statutory caps, I agreed when asked by Attorney Rusboldt to stipulate to the number of employees. After that, Mr. Rosburg made a statement about a pension contribution that I questioned, and I made a mental note to check his figure regarding the number of employees.

In fact, it appears that Mr. Rosburg's number was in error. He may have counted only fulltime employees. Upon discovering this error, I notified Attorney Rusboldt that I believed that the District may have had more than 200 employees during the relevant time period, and requested additional information. He is gathering this information, and I hope to have this issue resolved shortly. I wanted to let you know of the reason for the delay, and thank you for your patience in this regard.

Very truly yours,



Carol N. Skinner

c: Renae Ekstrand
Peter Reinhardt
Tom Rusboldt